

Filed for intro on 02/11/2002
HOUSE BILL 2683 By
Buck

SENATE BILL 3169
By Rochelle

AN ACT to repeal Chapter 46 of the Private Acts of 1959; as amended by Chapter 281 of the Private Acts of 1972, and all other acts amendatory thereto; to divide Smith County into school districts; and to provide for the number, election and terms of members of the Smith County Board of Education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 46 of the Private Acts of 1959, as amended by Chapter 281 of the Private Acts of 1972, and all other acts amendatory thereto, are hereby repealed.

SECTION 2. Smith County shall be divided into eight (8) school districts of substantially equal population, which shall be coextensive with the county legislative body districts established by resolution of the county legislative body from time to time.

SECTION 3. The Smith County Board of Education (the "board") shall consist of eight (8) members, with one member of the board being elected by the qualified voters in each school district on a non-partisan basis. Board members shall be elected to staggered four (4) year terms so that every two (2) years the terms of one-half (1/2) of the members of the board shall expire. Persons elected in the regular August general elections shall take office on September 1 following the election and shall serve until their successors are duly elected and qualified.

SECTION 4. During the transition from seven (7) members to eight (8) members, all incumbent board members shall remain on the board until the expiration of their current terms, and new board members shall be elected to four (4) year terms upon the expiration of each current board member's term. At the August 2002 general election, a board member shall be elected from the new School District 8 to an initial term of two (2) years, and thereafter to four (4) year terms.

SECTION 5. The Smith County Board of Education shall have the same powers, duties, privileges and qualifications as a county board of education established pursuant to Tennessee Code Annotated, Title 49.

SECTION 6. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Smith County by September 1, 2002. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Smith County and certified to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 7.